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PATENT, TRADEMARK, COPYRIGHT
AND UNFAIR COMPETITION LAW
AND RELATED LITIGATION

EDMUND P. WOOD 1923-1968
TRUMAN A. HERRON 1935-1976
EDWARD B. EVANS 1936-1971

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Ask for sender's secretary.

TO: The Honorable Commissioner
Attention: Christy Marie Green
Art Unit 3635

FROM: David H. Brinkman

Fax No.: (703) 872-9306

Phone: (513) 241-2324

Date: June 24, 2004

Fax: (513) 241-6234

Pages (including cover page): 27

Re: U.S. Serial No. 10/082,378 PROTECTIVE COVER FOR REINFORCING BAR
Attorney Docket No. DBZ-221P2

ATTACHMENTS/COMMENTS: OFFICIAL

Please deliver to Christy Marie Green
Amendment Transmittal (3 pages) (in duplicate)
Amendment (20 pages)

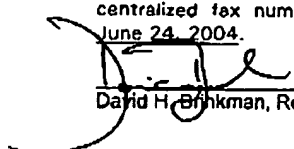
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I hereby certify that this correspondence is being deposited via facsimile to The Honorable Commissioner in the United States Patent and Trademark Office, Attention: Christy Marie Green whose telephone number is (703) 308-9693 and centralized fax number is (703) 872-9306 on June 24, 2004.


David H. Brinkman, Reg. No. 40,5326/24/04
Date**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Niday et al.
Serial No.: 10/082,378
Filed: February 25, 2002
Confirmation No.: 4571
Group Art Unit: 3635
Examiner: Green, Christy Marie
Title: **PROTECTIVE COVER FOR REINFORCING BAR**
Atty Docket: DBZ-221P2

Cincinnati, Ohio 45202

June 24, 2004

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

AMENDMENT TRANSMITTAL

1. Transmitted herewith is an amendment for this application.
2. ☐ Small Entity status is claimed.
☒ Other than a Small Entity.
3. The fee has been calculated as shown below:

Page 1 of 3

| (Col. 1) | | (Col. 2) | | (Col. 3) | SMALL ENTITY | | LARGE ENTITY | |
|---|----|---------------------------------|----|----------|--------------|-----|--------------|---------|
| Claims Remaining After Amendment | | Highest No. Previously Paid For | | Extra | Present Rate | Fee | Present Rate | Fee |
| TOTAL | 80 | MINUS | 34 | = 46 | x \$9 | \$0 | x \$18 | \$ 828 |
| INDEP. | 6 | MINUS | 3 | = 3 | x \$43 | \$0 | x \$86 | \$ 258 |
| FIRST PRESENTATION OF MULTIPLE DEP. CLAIM | | | | | + \$145 | \$0 | + \$290 | \$ 0 |
| TOTALS | | | | | TOTAL FEE | \$0 | TOTAL FEE | \$1,086 |

- ☆ If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
 ☆☆ If the "Highest No. Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.
 ☆☆☆ If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid for" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

_____ No additional fee for claims is required.

4. Attached is a check in the sum of \$_____.

 X Please charge my Deposit Account No. 23-3000 in the amount of \$1,086.

A duplicate copy of this sheet is attached.

5. The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply.

Complete (a) or (b) as applicable.

(a) _____ Applicant petitions for an extension of time under 37 CFR 1.136 for the total number of months checked below:

| Extension (months) | Fee for other than small entity | Fee for small entity |
|-----------------------|---------------------------------------|-------------------------|
| ___ one month | \$ 110.00 | \$ 55.00 |
| ___ two months | \$ 420.00 | \$210.00 |
| ___ three months | \$ 950.00 | \$475.00 |
| ___ four months | \$1,480.00 | \$740.00 |

___ Attached is a check in the amount of \$___ for the three month extension fee as required by 37 C.F.R. § 1.17(c).

If an additional extension of time is required, please consider this a petition therefor.

(Check and complete the next item, if applicable)

___ An extension for ___ months has already been secured and the fee paid thereof of \$___ is deducted from the total fee due for the total months of extension now requested. Extension fee due with this request \$___.

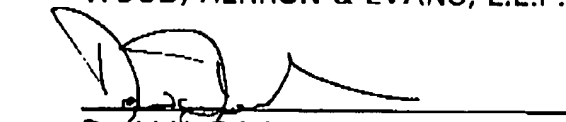
OR

(b) XX Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

XX If any additional fee for claims or extension of time is required, charge Deposit Account No. 23-3000. A duplicate of this transmittal is attached.

Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.

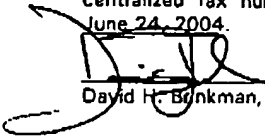

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Page 3 of 3

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David H. Bonkman, Reg. No. 40,5326/24/04
Date**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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Cincinnati, Ohio 45202

June 24, 2004

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT

Sir:

In response to the Office Action mailed on March 24, 2004, please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 16 of this paper.